

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEW HAMPSHIRE**

LOCAL 8027, AFT-NEW HAMPSHIRE, AFL-CIO, RYAN )  
RICHMAN, JOHN DUBE and JOCEYLN MERRILL, )  
teachers in the New Hampshire Public Schools, and )  
KIMBERLY GREEN ELLIOTT and MEGHAN EVELYN )  
DURDEN, parents or guardians of children in the New )  
Hampshire public schools. )

Plaintiffs, )

v. )

FRANK EDELBLUT, in his Official Capacity as )  
Commissioner of the DEPARTMENT OF EDUCATION, )  
CHRISTIAN KIM in his Official Capacity as the Chair of the )  
NEW HAMPSHIRE COMMISSION ON HUMAN RIGHTS, )  
and JOHN FOMELLA in his Official Capacity as )  
ATTORNEY GENERAL of the State of New Hampshire. )

Defendants. )

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ANDRES MEJIA, )  
CHRISTINA KIM PHILIBOTTE, and )  
NATIONAL EDUCATION ASSOCIATION-NEW )  
HAMPSHIRE, )

Plaintiffs, )

v. )

FRANK EDELBLUT, in his official capacity only as the )  
Commissioner of the New Hampshire Department of )  
Education, )

JOHN M. FORMELLA, in his official capacity only as the )  
Attorney General of the State of New Hampshire, )

AHNI MALACHI, in her official capacity only as the )  
Executive Director of the New Hampshire Commission for )  
Human Rights, )

CHRISTIAN KIM, in his official capacity )  
only as the Chair of the New Hampshire Commission for )  
Human Rights, )

KEN MERRIFIELD, in his official capacity only as the )  
Commissioner of the Department of Labor, )

Defendants. )

Civil No. 1:21-cv-01077-PB

**PLAINTIFFS' ASSENTED-TO MOTION TO SEAL THE UNREDACTED VERSION OF**  
**PLAINTIFFS' JOINT OBJECTION TO DEFENDANTS' MOTION FOR SUMMARY**  
**JUDGMENT**

Pursuant to Paragraph 6 of the Protective Order in this case (Doc. No. 76), L.R. 83.12, and A.P. 3.3, Plaintiffs request to seal at Level I the unredacted version of Plaintiffs' Joint Objection to Defendants' Motion for Summary Judgment (**Doc. No. 94**).

By **October 6, 2023**, a redacted version of Plaintiffs' Joint Objection to Defendants' Motion for Summary Judgment will be filed publicly pursuant to Paragraph 6(b) of the Protective Order.

The unredacted portions of Plaintiffs' Joint Objection to Defendants' Motion for Summary Judgment sought to be sealed contain information that has been designated by Defendants as "Confidential—Attorneys' Eyes Only" pursuant to the Protective Order insofar as Defendants assert that this information is protected under RSA 354-A:21, II(a) and/or N.H. Admin. R. PART Hum 219.04(a).<sup>1</sup>

This unredacted pleading will be conventionally filed, provisionally under seal. Defendants assent to the relief requested in this Motion.

WHEREFORE, for the reasons stated above, Plaintiffs request that the Court:

- A. Seal at Level I the unredacted version of Plaintiffs' Joint Objection to Defendants' Motion for Summary Judgment (**Doc. No. 94**); and
- B. Other and further relief as this Court deems just and proper in the circumstances.

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<sup>1</sup> While Plaintiffs do not concede that this information is "confidential," Plaintiffs did not challenge these designations under Paragraph 8 of the Protective Order.

October 3, 2023

Respectfully Submitted,

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